

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

DARREN W.,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 3:20-CV-05143-MAT

ORDER

Based on the stipulation of the parties it is hereby ORDERED that the above- captioned case be reversed and remanded, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings, including the following actions:

- The ALJ will conduct a new hearing, further develop the record and issue a new decision;
- The ALJ will issue a new decision on the issue of a new protected filing date for Plaintiff's minor child Hunter David Weymouth;
- In determining whether a protected filing date is appropriate, the ALJ will consider the October 20, 2005, Disability Report – Appeal, submitted by Plaintiff wherein he stated, “My Disability has severely limited my ability to take care of my newborn son born on 6/06/05.”

1 Upon proper presentation, this Court will consider Plaintiff's application for costs and
2 attorney's fees under 28 U.S.C. § 2412(d).

3 DATED this 15th day of March, 2021.

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6 Mary Alice Theiler
7 United States Magistrate Judge
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9 Presented by:

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